

PATENT
Attorney Docket No. 508589

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Patrick C. St. Germain

Appeal No.: 2009-012437

Application No.: 10/682,444

Hearing Date: July 21, 2011

Filed: October 9, 2003

For: FOLDED ROLL PRODUCT AND
METHOD AND APPARATUS FOR
MAKING AND USING THE SAME

**WITHDRAWAL/WAIVER OF PREVIOUSLY FILED
CONFIRMATION OF HEARING ATTENDANCE**

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SENT BY FACSIMILE: (571) 273-0299

Dear Sir:

Pursuant to instructions received from Ms. Cook in the Office of the Clerk of the Board, the Appellant hereby expressly waives attendance at the Oral Hearing in Appeal No. 2009-012437 scheduled for Thursday, July 21, 2011. Appellant respectfully requests that this communication and the attachments hereto be entered into the file for Application No. 10/682,444.

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this Withdrawal/Waiver of Previously Filed Confirmation of Hearing Attendance and all accompanying documents are, on the date indicated below, <input checked="" type="checkbox"/> being transmitted to the United States Patent and Trademark Office Before the Board of Patent Appeals and Interferences via the facsimile to (571) 273-0299.			
Name (Print/Type)	A. Locke		
Signature	<i>A. Locke</i>	Date	July 20, 2011

In re Appln. Of: Patrick C. St. Germain
Appeal No.: 2009-012437

REMARKS

APPELLANT'S RECORD OF TELEPHONE CONFERENCE

Appellant's counsel expresses appreciation to Ms. Cook in the Office of the Clerk of the Board for courtesies extended during a telephone conference on July 20, 2011. The undersigned counsel for the Appellant had a short telephone conference with Ms. Cook in the Office of the Clerk of the Board on July 20, 2011, in which Appellant's counsel informed Ms. Cook that the Appellant had decided not to attend the hearing scheduled for July 21, 2011, and asking for instructions regarding the proper way to formally notify the Board and the Patent Office of this change in plans. Ms. Cook instructed Appellant's counsel to send either a marked-up copy of the original notice in which the Appellant had confirmed hearing attendance and/or a cover letter to the BPAI Hearing's fax number (571) 273-0299.

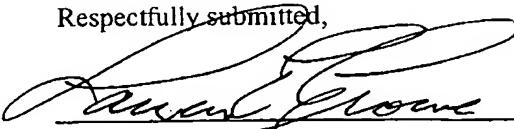
WITHDRAWAL OF PREVIOUS CONFIRMATION OF HEARING ATTENDANCE

The Appellant by this paper, and the attached marked-up copy of the Notice of Hearing Confirmation previously filed on June 23, 2011, hereby formally notifies the Board and the Patent Office that the Appellant has decided to waive attendance at the hearing scheduled before the Board on July 21, 2011.

PROCEDURAL MATTERS AND FEES

The Appellant believes that no fees or overpayments are occasioned by the submittal of this paper. If any fees or overpayments are occasioned by the filing of this paper, however, the Commissioner is authorized to charge those fees or credit any overpayments to deposit account 50-3505.

Respectfully submitted,



Lawrence E. Crowe, Reg. No. 35110
Reinhart Boerner Van Deuren P.C.
2215 Perrygreen Way
Rockford, Illinois 61107
(815) 633-5300 (telephone)
(815) 654-5770 (facsimile)

Date: July 20, 2011

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via facsimile to (571) 273-0299 and (571) 273-8300: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: June 23, 2011 July 20, 2011

Typed or printed name	<u>A. Locke</u>		
Signature	<u>A. Locke</u>	Date	<u>June 23, 2011</u>



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

REINHART BOERNER VAN
DEUREN P.C.
2215 PERRYGREEN WAY
ROCKFORD, IL 61107

Appeal No: 2009-012437
 Appellant: Patrick C. St. Germain
 Application No: 10/682,444
 Hearing Room: A
 Hearing Docket: B
 Hearing Date: Thursday, July 21, 2011
 Hearing Time: 01:00 PM
 Location: Madison Building - East Wing
 600 Dulany Street, 9th Floor
 Alexandria, Virginia 22313-1450

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address:

Board of Patent Appeals and Interferences
 United States Patent and Trademark Office
 P.O. BOX 1450
 Alexandria, Virginia 22313-1450

*Applicant has now
 decided to waive
 attendance at the
 hearing scheduled
 for July 21, 2011.*

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: HEARING ATTENDANCE CONFIRMED HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

June 23, 2011 35,110 *Reinhardt Boerner
 June 20, 2011*

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
<http://www.uspto.gov/web/offices/com/gcomsec/contact.htm#bpaicontacts>